

### **REMARKS**

In response to the Office Action of May 5, 2005, applicant without prejudice or disclaimer cancels claims 2-12, 14, 15, 17, 21, 29-31, 38, 43, 45-49, 64, 66, and 69 and amends claims 1, 22, 32-37, 39, 42, 65, 67, and 68. As a result, claims 1, 19, 20, 22, 25-28, 32-37, 39-42, 44, 65, 67, and 68 are now pending in the application.

In the Action, the Examiner indicated that claims 64 and 65, which stem from claim 1, would be allowable if rewritten in independent form. In accord with this indication, applicant has amended claim 1 to recite the subject matter of claim 64 and amended claim 65 in independent form. Thus, applicant believes that amended claims 1 and 65 are consistent with the Examiner's identification of allowable subject matter. Additionally, applicant submits that the remaining claims are dependent ultimately on claim 1 or claim 65 and are therefore allowable at least for the same reasons as claims 1 and 65. Accordingly, applicant, requests respectfully that the Examiner reconsider the application.

### **Reservation of Rights**

Instead of traversing the rejections, applicant has elected for reasons of expense and expediency to accept the identification of allowable subject matter and to cancel a number of rejected claims without prejudice or disclaimer from the application. However, applicant reserves all applicable rights not exercised in connection with this response, including, for example, the right to swear behind one or more of the cited references, the right to rebut any tacit or explicit characterization of the references, and the right to rebut any asserted motivation for combination. Applicant makes no admission regarding the prior art status of the cited references, regarding them as being only of record. Moreover, applicant does not intend, by virtue of any amendment made earlier or here, to surrender or disclaim any subject matter.

**CONCLUSION**

In view of the amended application, applicant requests respectfully that the Examiner reconsider and allow the application. Additionally, given the nature of the amendment, applicant requests that the Examiner reorder the claims to present dependents in sequence with their independent claims. The Examiner is invited to telephone applicant's patent counsel Eduardo Drake at (612) 349-9593 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

DOUGLAS T. ROSENOFF ET AL.

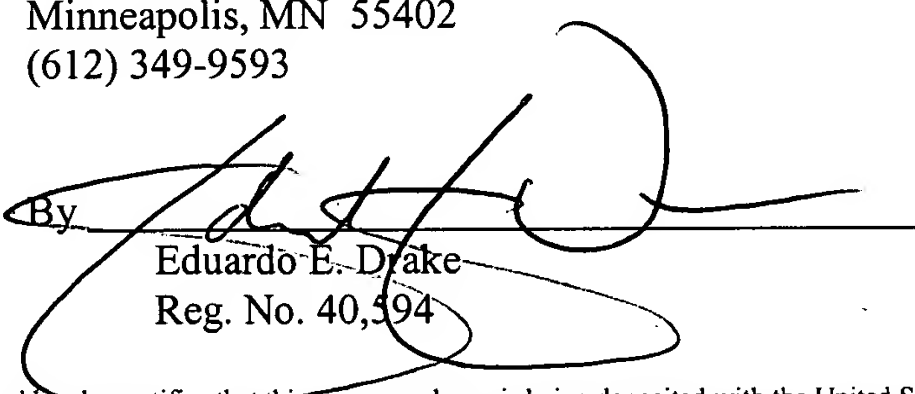
By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 349-9593

Date

5 August 2005

By

  
Eduardo E. Drake  
Reg. No. 40,594

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 5 day of August, 2005.

Name

Tina K. K. K.

Signature

2.6.1